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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 2002.738 US
INTERNATIONAL APPLICATION NO. PCT/EP03/050969		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/538,988
INTERNATIONAL FILING DATE 9 December 2003		PRIORITY DATE CLAIMED 16 December 2002
TITLE OF INVENTION VESSEL, METHOD AND APPARATUS FOR DISSOLUTION TESTING ON AN ANNULAR PHARMACEUTICAL DELIVERY DEVICE		
APPLICANT(S) FOR DO/EO/US Akzo Nobel N.V. et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (executed)		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/538,988	INTERNATIONAL APPLICATION NO. PCT EP03/050969	ATTORNEY'S DOCKET NUMBER 2002.738 US																		
20. Other items or information: <div style="text-align: center; font-weight: bold; margin-top: 5px;">Express Mail Label No.: EV 453807470 US and Post Card</div>																				
The following fees have been submitted		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">CALCULATIONS</th> <th style="width:50%;">PTO USE ONLY</th> </tr> </table>	CALCULATIONS	PTO USE ONLY																
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21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">\$</td> <td style="width:50%;"></td> </tr> </table>	\$																	
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22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">\$</td> <td style="width:50%;"></td> </tr> </table>	\$																	
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23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">\$</td> <td style="width:50%;"></td> </tr> </table>	\$																	
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TOTAL OF 21, 22 and 23 =																				
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																				
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Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">\$ 130.00</td> <td style="width:50%;"></td> </tr> </table>	\$ 130.00																	
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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.																				
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Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">\$</td> <td style="width:50%;"></td> </tr> </table>	\$																	
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">\$</td> <td style="width:50%;"></td> </tr> </table>	\$																	
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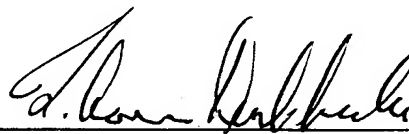
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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 01-1350 in the amount of \$ 130.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-1350. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

F. Aaron Dubberley
Akzo Nobel Inc.
Intellectual Property Department
7 Livingstone Avenue
Dobbs Ferry, NY 10522
(973) 325-4542



SIGNATURE

F. Aaron Dubberley

NAME

41,001

REGISTRATION NUMBER

July 12, 2005

Docket No.: **2002.738US**DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residence post addresses are as stated below our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: VESSEL, METHOD AND APPARATUS FOR DISSOLUTION TESTING OF AN ANNULAR PHARMACEUTICAL DELIVERY DEVICE

- ☐ is attached hereto, and/or
- ☐ was filed on 9 December 2003 as Int'l Appln Ser. No. PCT/EP03/050969
- ☐ and was amended on _____ (if applicable)


We hereby state that we have reviewed and understand the contents of the above- identified specification, including the claims, as amended by any amendment referred to above. All factual statements made in the specification of our own knowledge are true and all factual statements made on information and belief are believed to be true.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

<u>02102772.7</u>	<u>Europe</u>	<u>16 December 2002</u>	<u>X</u> Yes <u> </u> No
(Number)	(Country)	(Day/Month/Year)	



We hereby claim the benefit under Title 35, United States Code § 119 of any provisional application(s) listed below:

<u>60/433,676</u>	<u>United States</u>	<u>16 December 2002</u>
Appln. Ser. No.	Country	Day/Month/Year

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Appln. Ser. No.)	_____ (Filing Date)	_____ (Status: patented, pending, abandoned)
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2002.738US

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following as my attorneys of record, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent Office:

(7)
Louis A. Morris, Reg. No. 28,100
Ralph J. Mancini, Reg. No. 34,054
Laine E. Parker, Reg. No. 36,123
F. Aaron Dubberly, Reg. No. 41,001

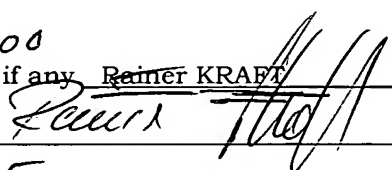
David H. Vickrey, Reg. No. 30,697
Joan M. McGillicuddy, Reg. No. 35,608
Michelle Burke, Reg. No. 37,791

Direct all correspondence to:

F. Aaron Dubberly
Akzo Nobel Inc.
Intellectual Property Department
7 Livingstone Avenue
Dobbs Ferry (NY) 10522-3408
(973) 325-4542

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

¹⁻⁰⁰
Full name of first inventor, if any Rainer KRAFT

Inventor's signature 

Date 21. June 2005

Residence Castrop-Rauxel, Germany DEX

Citizenship German

Post Office Address Unterspredey 47, 44577 Castrop-Rauxel, Germany